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**UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York**

MEMORANDUM

DATE: August 14, 2006

TO: Honorable Dora Lizette Irizarry
United States District Judge

RE: Giovan Arcamone
Docket Number 05 CR 943-02
Request for Bail Revocation Hearing

The above referenced defendant is the subject of a pending fraud case before Your Honor. He made an initial appearance before Magistrate Judge Levy on November 4, 2005, and was released on a \$150,000 bond secured by his father's property. His bail conditions include reporting to Pretrial Services as directed, surrender of passport, and travel restrictions to New York and New Jersey. The defendant is scheduled for a status conference before Your Honor on August 24, 2006 at 3:00 pm.

Pretrial Services is writing to advise the Court that the defendant was re-arrested on August 4, 2006, for False Personation, a Class B Misdemeanor, and Aggravated Unlicensed Operation of a Motor Vehicle, a Class U Misdemeanor. The defendant reported the arrest to our office on August 7, 2006. Pretrial Services spoke with New York City Police Officer Poseidon Soundias from the 104th Precinct in Queens; he advised that the defendant was pulled over because he was driving a vehicle without a front license plate, and upon further investigation, the defendant was found to have a revoked license. The vehicle registration was also expired and the vehicle was uninsured. Officer Soundias advised that the defendant was charged with False Personation because he attempted to conceal his true identity and provided the wrong name and date of birth. The defendant reported to Officer Soundias that he has a car towing business and was driving the vehicle to an auto body repair shop. Officer Soundias noted that the vehicle belonged to a woman who was in a car accident earlier this year, and she has been trying to get her car back from the defendant for several months. Officer Soundias indicated that the defendant has been stopped under similar circumstances in the past, and he is suspected of operating a scam towing business, where he arrives at the scene of car accidents to tow damaged cars and then does not return the vehicles unless he is paid exorbitant amounts of fees. Special Agent Joseph Moriarty of the Federal Bureau of Investigation indicated that they also have information pertaining to the defendant's involvement in a small-scale car-towing scam operation, but they have only charged the defendant with the greater offense of Conspiracy to Commit Bank Fraud at this point.

New York State Unified Court System records reflect that the defendant was released on \$750 cash bail on August 4, 2006; his next court date is September 27, 2006 in Queens Criminal Court. The defendant also has a pending case in Queens Supreme Court for Aggravated Unlicensed Operation of Motor Vehicle, for which he was released on \$1,500 cash bail on August 3, 2005; the next court date is September 18, 2006. In addition to his pending charges, the defendant is currently supervised by the Queens County Probation Department for Aggravated Unlicensed Operation of Motor Vehicles, Class U Misdemeanor convictions in Queens and New York Counties, Maximum Expiration Date 9/22/08.

Department of Motor Vehicle records reflect that the defendant has a Class C license (Tow Truck Endorsement, under 18,000 pounds), which was revoked on February 24, 2006 for passing a red light. The defendant's license was also suspended on numerous occasions, most recently on July 12, 2006, for a speeding conviction. He also has a history of failures to pay fines, failures to post bond, and failures to answer summons. It should be noted that during the bail investigation interview, and throughout the period of supervision, the defendant reported that he was unemployed and collecting Social Security Disability benefits.

Pretrial Services requests that the above issues be addressed in a bail revocation hearing before Your Honor. Pretrial Services spoke with Assistant United States Attorneys John Nathanson and Gurbir Singh Grewal, who agreed that the defendant's bail should be revoked. Defense Counsel Barry Zone has also been notified of the situation.

Prepared by: Melony C. Bedford
Melony C. Bedford
U.S. Pretrial Services Officer

Approved by: Andrew Prozeller
Andrew Prozeller
Supervising Pretrial Services Officer

CC: Gurbir Singh Grewal, AUSA
Barry S. Zone, Defense Counsel

The request for a bail
revocation hearing is
granted. A bail revocation
hearing will be held on
August 24, 2006 at 3:00 pm,
which is the date of the
next status conference.

So Ordered.

Dated: Brooklyn, NY
August 16, 2006

U.S.D.J.